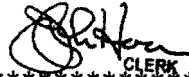


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED

SEP 03 2013


CLERK

ERIC CASTANEIRA,

Plaintiff,

vs.

MIDLAND NATIONAL LIFE
INSURANCE COMPANY, et al.,

Defendants.

CIV 10-4039

ORDER

By an e-mail of August 29, 2013, Eric Castaneira asked that the Court appoint counsel for him. Mr. Castaneira has demonstrated that he can adequately represent himself in these civil proceedings. The request for Court-appointed counsel is denied.

Mr. Castaneira also requested that the Court hold a *Zolin* review of the evidence Mr. Castaneira intended to present before the hearing on the 4th of September, 2013. There is no reason for a review by the Court pursuant to *United States v. Zolin*, 491 U.S. 554, 109 S.Ct. 2619 (1989). There is no current attorney-client privilege claim at issue. Instead, the hearing on September 4, 2013, is to determine whether or not Mr. Castaneira has violated the Orders of this Court and, if so, what to do about any such violations. No *Zolin* review will take place and the hearing will proceed as scheduled commencing at 2:00 P.M. on September 4, 2013. Accordingly,

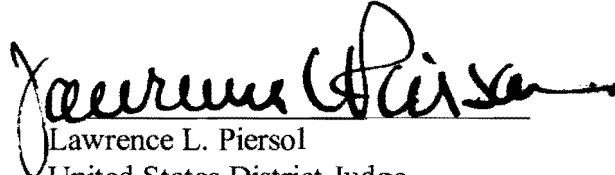
IT IS ORDERED:

1. That Plaintiff's request for court-appointed counsel is denied.
2. That Plaintiff's request for a review by the Court of the evidence pursuant to *United States v. Zolin*, 491 U.S. 554, 109 S.Ct. 2619 (1989), is denied.
3. That a hearing will be held on Wednesday, September 4, 2013, at 2:00 P.M., in Courtroom #1 of the Federal Courthouse at 400 South Phillips Avenue, Sioux Falls, South Dakota, to determine if Plaintiff should be found to be in contempt. Plaintiff Eric Castaneira may personally appear before the Court at the hearing to show cause why he should not be held in contempt for his

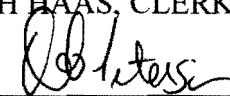
claimed violation of this Court's Permanent Injunction.

Dated this 3rd day of September, 2013.

BY THE COURT:


Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: 
DEPUTY